

David Mohyuddin QC

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Clerks' Details

 Nick Buckley
 0161 817 2757

 Ian Spencer
 0113 203 1971

Appointments

- Accredited Mediator
- Junior Counsel to the Crown (Regional Panel) 2007 - 2016

Memberships

- Chancery Bar Association
- Northern Chancery Bar Association (Secretary)
- Northern Circuit Commercial Bar Association
- Association of Business Recovery Professionals (R3) (Fellow)
- Insolvency Lawyers' Association

Education

- Bolton School
- LLB University of Birmingham
- Bar Vocational Course, Inns of Court School of Law

Commercial CV

Overview

David was one of the first of his generation to be appointed Queen's Counsel. He has practised commercial litigation since he started at the Bar. His experience covers all manner of cases but now has a particular focus on commercial litigation including commercial fraud; insolvency; company and shareholder disputes; banking, mortgages and asset recovery and professional negligence.

David is regularly instructed to appear in multi-day trials, as well as to advise those already involved in or contemplating becoming involved in litigation. His work includes urgent applications for injunctive relief, whether by way of freezing or other order and he has significant experience of making applications without notice and the responsibilities that arise. Having been Junior Counsel to the Crown from 2007 until his appointment to Silk, he has vast experience of work for the Secretary of State and the Official Receiver with particular emphasis on public interest winding up and directors disqualification. David has also acted in a number of sports-related cases.

David also practises from Three Stone, 3 Stone Buildings, Lincoln's Inn, London WC2A 3XL; www.threestone.law.

Recommendations

Chambers and Partners

“He is very forensic and analytical in his approach and his arguments are very well put together.” “A very personable type and he is good on his feet.”

“He’s very well prepared and his papers are immaculate - he thinks outside the box.”

“He’s excellent, very proactive, bright, tactical and frankly very cost-effective.”

“Decisive and thorough, he displays an intricate knowledge of the law and applies it brilliantly.” “An excellent strategist.”

“A renowned insolvency barrister with a strong reputation in the adjacent field of commercial chancery.”

“He has the gift of being able to condense an argument where others would be overly verbose. His skeleton arguments are always spot-on and to the point and he has a very persuasive advocacy style.”

“Proficient senior junior adept in a variety of commercial and insolvency work, including commercial fraud matters. Assists with high-value cases of legal importance, including Court of Appeal briefs.”

“He has in-depth knowledge. He is also very straightforward and very down-to-earth.”

“Really user-friendly. He rolls up his sleeves, gets involved and is prepared to put his neck on the line and back his judgement, which he always comes through on.”

“He is decisive and thorough, he displays intricate legal knowledge and he crafts the perfect legal strategy for the client.”

“He is at the top of our list for instructing.”

“He is always very thorough and well prepared, and he is fantastic on his feet. He is a match for any insolvency barrister on the Northern Circuit.”

“He is superb on his feet, very bright and highly recommended for commercial matters.”

“A real expert in insolvency matters.”

Legal 500

“An extremely capable and forceful advocate.”

“Tactically excellent; he is liked and respected by clients.”

Cases

Secretary of State for Business, Innovation and Skills v PLT Anti-Marketing Ltd

[2015] EWCA Civ 76: Appeared for Secretary of State in appeal against refusal to vary undertakings.

2014: Instructed by office-holders to obtain freezing and proprietary injunctions against defendants alleged of fraudulently removing c. £3m through various companies.

Utilise TDS Limited v Davies & Bolton College [2014] EWCA Civ 906: Appeared for one of the respondents in the Court of Appeal when three cases were heard together and fresh guidance was issued on the way in which CPR 3.9 was to be applied on applications for relief from sanction, following the decision in **Mitchell v News Group Newspapers Ltd**. (Reported as **Denton v TH White Ltd** and other appeals.) [2016] EWHC 2127 (Ch): Successfully obtained an order striking out the claim on the basis that a settlement reached with another, jointly-liable party had compromised the claim against his client.

2014: Successfully obtained an order striking out an allegation of (in effect) professional negligence brought against an insolvency practitioner under the specialist provisions of the Insolvency Act 1986.

2015: Advising and representing a company director (with the benefit of insurance) who is subject to proceedings brought following the sale of his business to a third party in which he is alleged to have breached the warranties he gave upon the sale and to have breached the duties he owed to the purchaser which had engaged him as its director.

Montpellier Estates Limited v Leeds City Council [2012] EWHC 1343 (QB); [2013] EWHC 166 (QB): Successfully defending a huge deceit claim (valued at in excess of £35million; trial lasted 35 days) brought in the context of the procurement exercise for the Leeds Arena.

The Sona Group Limited (2013): Acting on an urgent basis for the insured defendant to a large number of personal injury claims brought in respect of a fire at commercial premises, successfully overturning the grant of a freezing injunction obtained against the defendant. **Willett v Economy Power** [2012] EWCA Civ 1164; [2012] BPIR 1298: Appearing at trial and on appeal for Economy Power.